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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/529,726

03/30/2005

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123150

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25944 7590 10/19/2007
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EXAMINER

HA, NGUYEN Q

ART UNIT

PAPER NUMBER

2854

MAIL DATE

DELIVERY MODE

10/19/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/529,726

Applicant(s)

HOSHINO ET AL.

Examiner

'Wynn' Q. HA

Art Unit

2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 6,8 and 16 is/are allowed.
- 6) ☒ Claim(s) 1-5,7,9-12 and 15 is/are rejected.
- 7) ☐ Claim(s) 13 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamada et al (US 4,915,229) in view of Dirx et al. (US 5,996,991).

Yamada, as discussed in the Office action of 5 April 2007, teaches all that is being claimed, except for a belt shaped member wound around the package member.

Dirx teaches in figs. 1 & 2 a belt shaped member 78 wound around a sheet package, in order to prevent the sheets from being damaged during handling, which may move the sheets within the package and create mutual friction or electrostatic charging (Col. 2 lines 11-18 "the sheets of a sheet stack are prevented from mutually moving...by holding them together by means of an encircling band in the form of a strap or the like. This avoids any possible damage to the sheets caused by mutual friction or electrostatic charging").

It would have been obvious to one of ordinary skill in the art at the time the present invention was made to have Yamada's sheet package member comprise a belt shaped member is wound around the package member, in order to prevent the sheets from being damaged during handling, as taught by Dirx.

Claims 9-12, 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamada in view of Prenn (US 6,598,795 B1), and further in view of Dirx.

Yamada in view of Prenn, as discussed in the Office action of 5 April 2007, teaches all that is being claimed, except for a belt shaped member wound around the package member.

Dirx, as discussed above, teaches a belt shaped member 78 wound around a sheet package, in order to prevent the sheets from being damaged during handling, which may move the sheets within the package and create mutual friction or electrostatic charging.

It would have been obvious to one of ordinary skill in the art at the time the present invention was made to have Yamada-in-view-of-Prenn's sheet package member comprise a belt shaped member is wound around the package member, in order to prevent the sheets from being damaged during handling, as taught by Dirx.

Allowable Subject Matter

2. **Claims 6 and 8** are allowed, as stated in the Office action of 27 November 2006.

Claim 16 is also allowed as it contains the allowable subject matters of claim 8.

Claim 13 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the

Art Unit: 2854

base claim and any intervening claims. The reasons for the indication of allowable subject matter are as stated in the Office action of 5 April 2007.

Response to Arguments

3. Applicant's arguments with respect to claims 1, 7, 9 and 15 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, THIS ACTION IS MADE FINAL. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to 'Wynn' Q. HA whose telephone number is 571-272-2863. The examiner can normally be reached on Monday - Friday, from 8am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on 571-272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>.

Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

October 18, 2007
NQH

/Daniel J. Colilla/
Primary Examiner
Art Unit 2854